



Oregon's Voice for Long Term Care & Senior Housing

March 6, 2024

Joint Committee on Ways & Means Subcommittee on Capital Construction
Oregon State Capitol
900 Court St. NE
Salem, OR 97301

RE: Support for SB 1521A, Section 7

Co-Chair Girod, Co-Chair Holvey, and Members of the Subcommittee,

We appreciate the opportunity to submit testimony in support of SB 1521A, specifically Section 7. Oregon Health Care Association (OHCA) represents long term care providers including skilled nursing, assisted living, residential care, memory care, and in-home care agencies. Our mission is to promote high quality care and services for older adults and people with disabilities.

Section 7 of SB 1521A revises the acuity-based staffing tool (ABST) requirements for certain community-based care facilities. These requirements were established under SB 714 (2021), the goal of which was to ensure that facilities use and update an ABST of their choice and staff facilities at levels reflective of overall resident acuity. This model for staffing is considered industry best practice.

As SB 714 was implemented by the Oregon Department of Human Services (ODHS), it became clear technical adjustments were needed to align intent with practice. This included when ODHS is *required* to put a condition on a license for an ABST violation and when it should have flexibility to apply other corrective actions. Providers have also struggled over the last year of implementation with changing proposed rules that cause confusion about what standards need to be met.

Section 7 of SB 1521A addresses these concerns by consolidating duplicative language and clarifying the intent of SB 714 to place a condition on a facility for *substantive* issues related to a facility's use of an ABST *and* the insufficiency of staffing levels to meet the residents' scheduled and unscheduled needs, 24/7. It also requires ODHS consider both impact on facilities and resident needs before changing rules around minimum requirements and design of an ABST.

Section 7 of SB 1521A is critically important to OHCA members and we urge its passage with any consensus forthcoming amendments this session.

Sincerely,

Libby Batlan
Senior Vice President of Government Relations
Oregon Health Care Association